

REMARKS

The issues outstanding in the instant application are as follows:

- Claims 9, 11, 12, 35 and 36 stand rejected under 35 U.S.C. § 102(e) as anticipated by Wacker, U.S. Pat. No. 6,204,758;
- Claim 37 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Wacker, U.S. Pat. No. 6,204,758; and
- Claims 38-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wacker, U.S. Pat. No. 6,204,758, in view of King et al, U.S. Pat. No. 6,788,193; and
- Claims 10, 42 and 43 are indicated as allowable.

Although Applicant does not necessarily agree with the rejections detailed above, Applicant has amended allowable claims 10, 42 and 43 to place them in independent form in the interest of advancing prosecution of the present application. Claim 10, is merely placed in independent form by the above amendments, incorporating all the elements of canceled claim 9. Claim 42 incorporates all the elements of canceled independent claim 35. However intervening elements of claim 38 have not been incorporated into now independent claim 42, as they are not necessary for antecedent basis, nor for novelty or nonobviousness. Finally, claim 43 has been amended to include the elements of canceled independent claim 9 and the elements of intervening claim 12 necessary for antecedent basis, but not those elements of claim 12 not necessary for antecedent basis, novelty or nonobviousness. (Namely, “a tire condition sensor to produce a tire condition signal.”)

Claims 1-9 and 13-35 have been cancelled in this, or by a previous, amendment, and new claims 44-49, dependent from claims 10, 42 or 43 have been added.

Applicant submits that the pending claims are allowable and that this application is in condition for full allowance.

The fees necessary for the accompanying Petition for Revival and RCE are dealt with in the accompanying transmittal and/or the Petition and RCE themselves. Applicant believes no additional fees are due with this response. However, if an additional fee is due, please charge Deposit Account No. 50-1534, from which the undersigned is authorized to draw.

Applicant respectfully requests that the Examiner call the below listed attorney if the Examiner believes that the attorney can be helpful in resolving any remaining issues or can otherwise be helpful in expediting prosecution of the present application.

Date: October 31, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Mahurin', with a long horizontal flourish extending to the right.

Jerry L. Mahurin
Attorney for the Applicant
Reg. No. 34,661
c/o The Gates Corporation
IP Law Department 10-A3
1551 Wewatta Street
Denver, CO 80202
(303) 744-5796

JLM
Denver, Colorado